aches, including migraine headache, infectious diseases, including typhoid, bronchopneumonia, peritonitis, pleurisy, and dysentery, fungus diseases, heart disease, diabetes, insomnia, sterility, nervousness, tension, irritability, itching scalp and skin, numbness, cold hands and feet, dizziness, mental retardation, tooth decay, falling hair, breaking fingernails, hay fever, callouses and corns, slow healing of cuts and bruises, pimples, tic, cramps in muscles, blocked and swollen lymph glands, coughs, colds, sinus infection, infant colic, bed-wetting, hangovers, and alcoholism; to provide vigor, promote longevity, control and reduce weight without restrictions of diet; and to reduce or eliminate the difficulties of old age, which statements were false and misleading since the article was not adequate and effective for the treatment and prevention of the diseases, symptoms, and conditions stated and implied and was not capable of fulfilling the promises of benefit made for it.

DISPOSITION: The Superior Honey Co., claimant, filed combined motions to dismiss the libel, to require the government to make the libel more definite and certain, and to strike the misbranding allegations from the libel. On 12–23–60, the court denied the claimant's motions. On 4–27–61, the claimant having denied the allegations of misbranding in the libel but having consented to the entry of a decree, and the court having found that the article was misbranded as alleged, judgment of condemnation was entered. In addition, on the basis of claimant's representations to the court that it had discontinued the distribution of the book "Folk Medicine" at the time of the seizure of the article, and had at no time resumed distribution of the book; that it had no intention to engage in such distribution in Colorado or elsewhere; that it intended to sell its honey products only as a food; that it would not directly or indirectly promote the sale of its honey products through any suggestion that such products were useful in the treatment or prevention of ailments or diseases; and that it had turned over to the United States marshal all copies of the book "Folk Medicine" which it had in its possession, the court ordered that the honey products under seizure be released under bond to be brought into compliance with the law.

6616. Rife Frequency Instrument. (F.D.C. No. 45509. S. No. 17–356 R.)

QUANTITY: 1 device consisting of a variable frequency generator with a controlled power output designated "*Rife Frequency Instrument*" and a frequency counter designated "Model WE–110 Counter R.V.M.I. San Diego, Calif.," at Salt Lake City, Utah.

SHIPPED: 8–1–60, from San Diego, Calif., by Rife Virus Microscope Institute.

ACCOMPANYING LABELING: Four-page printed leaflet entitled "Contract"; two letters signed by John E. Marsh, one dated 9–12–60, and one on the Rife Virus Microscope Institute letterhead dated 7–17–60; and an instruction manual.

RESULTS OF INVESTIGATION: The device was a variable frequency generator with a controlled power output used in conjunction with a Model WE–110 frequency counter. The device included two metal electrodes with insulated handles which were intended to be applied in direct contact with the patient's body.

LIBELED: 3–13–61, Dist. Utah.

CHARGE: 502(a)—when shipped, the accompanying labeling of the article contained false and misleading representations that the article was adequate and effective as a treatment for devitalizing micro-living organisms detrimental to mankind, and thereby overcoming such conditions as cancer, colds, tumors,

leukemia, athlete's foot, varicose veins, tetanus, typhoid, gonorrhea, staphylococcus, pneumonia, streptothrix, streptococcus, TB virus, carcinoma, sarcoma, treponema, abscess, fistula, hemorrhoids, hernia, irritations, arthritis, bursitis, palsy, diseased lymph nodes, acne, cystitis, boils, bubonic plague, diphtheria, elephantiasis, fungus, impetigo, hardening of the arteries, leprosy, moles, multiple sclerosis, poison oak, poison ivy, poliomyelitis, skin eruptions, spinal meningitis, warts, constipation, typhoid fever, colitis, cataract, glaucoma, leakage of the heart, coronary thrombosis, tetanus, peptic ulcers, and other abnormal and disease conditions.

DISPOSITION: 5–29–61. Default—delivered to the Food and Drug Administration.

6617. Ortho-Structurometer device. (F.D.C. No. 44581. S. No. 44–460 R.)

QUANTITY: One device at Portland, Oreg.

SHIPPED: 4–28–59, from Monrovia, Calif., by Custom Bearings, for J. & E. Enterprises, Inc.

LABEL IN PART: "J. & E. Enterprises, Inc., Model No. Ortho 7 * * * Pasadena, Calif."

ACCOMPANYING LABELING: Leaflets entitled "Self Appraisal" and a posture chart bearing the name "T. E. Hall."

RESULTS OF INVESTIGATION: Examination indicated that the device was a portable unit consisting of two tilt platforms and a control panel for adjusting the platforms to varying degrees. The user stood on the platforms for the intended purpose of changing posture and thereby alleviating various disease and abnormal conditions.

LIBELED: 5–19–60, Dist. Oreg.

CHARGE: 502(a)—when shipped, the labeling of the article contained false and misleading representations that the article was an adequate and effective treatment for preventing or overcoming prolapsed diaphragm, weakened perineum, rectal prolapse, constipation, hemorrhoids, pudendal hemorrhage, prolapsed uterus, hernia, congested uterus and ovaries, tuberculosis, asthma, heart conditions, bladder irritation, femoral hernia, inguinal hernia, visceral ptosis, broken arches, and ear, eye, nose and throat infections, and that the use of the device would correct improper body mechanics and body imbalance to prevent and overcome most common diseases.

DISPOSITION: On 8–30–60, J. & E. Enterprises, Inc., appeared and filed a claim to the device and, on 8–31–60, the cause was removed to the United States District Court for the Northern District of California. On 9–28–60, the claimant filed an answer denying the misbranding. On 5–1–61, the claim and answer were withdrawn and, on 5–25–61, a default decree of forfeiture was filed and the court ordered the device delivered to the Food and Drug Administration.

6618. Vibra-Finger Gum Massager. (F.D.C. No. 45476. S. No. 26–965 R.)

QUANTITY: 31 individually cartoned devices at Los Angeles, Calif., in possession of Gem Products.

SHIPPED: 1–18–61, from New York, N.Y., by Vibra Research Laboratories.

LABEL IN PART: (Ctn.) "Vibra-Finger Professional Gum Massager * * * Distributors Vibra Research Laboratories."

ACCOMPANYING LABELING: Folder in carton reading in part "Your Vibra Finger Gum Massager Instructions For . . ." and leaflets entitled "Vibra-Finger."